

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
SWK FUNDING, LLC, :
:
Plaintiff, : 23cv6953 (DLC)
:
-v- : ORDER
:
BEST ABT, INC., :
:
Defendant. :
:
-----X

DENISE COTE, District Judge:

On September 29, 2023, defendant filed a motion to dismiss the complaint pursuant to Rules 12(b)(2) and 12(b)(3), Fed. R. Civ. P, or in the alternative to transfer venue. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

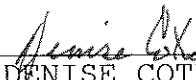
ORDERED that plaintiff shall file any amended complaint by October 20, 2023. It is unlikely that plaintiff will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by October 20, 2023. Defendant's reply, if any, shall be filed by October 27. At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy copies

of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that, pursuant to Rule 4(B) of the Court's Individual Rules of Practice in Civil Cases, the plaintiff shall file on ECF, by October 20, a letter no longer than two pages explaining the basis for its belief that diversity of citizenship exists.

Dated: New York, New York
October 3, 2023



DENISE COTE
United States District Judge